



UNITED STATES MARINE CORPS

MARINE CORPS BASE
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BO 12315.1B
BCPD

DEC 13 1991

BASE ORDER 12315.1B

From: Commanding General
To: Distribution List

Subj: PROBATION ON INITIAL APPOINTMENT TO A SUPERVISORY OR MANAGERIAL POSITION

Ref: (a) 5 CFR 315 (NOTAL)

1. Purpose. To publish the requirements for a supervisory probationary period for employees initially appointed to a supervisory or managerial position per the reference.

2. Cancellation. BO 12315.1A.

3. Background. Public Law 95-454 of October 1978, amended 5 U.S.C. 3321 to authorize the President to prescribe a period of probation before initial appointment as a supervisor or manager becomes final. Executive Order 12107 of 28 December 1978 delegates responsibility for the establishment of a probationary period to the Office of Personnel Management.

4. Definitions

a. Initial appointment. Any type of personnel action by which an employee is officially assigned, for the first time in the Federal service, to a position designated as supervisory, managerial, or both supervisory and managerial. It includes initial appointments in the Federal service, reinstatements, transfers, promotions, reassignments, and provided they are scheduled to exceed six months, temporary appointments and position change assignments. Excluded is service while on detail or in an acting capacity during the temporary absence of the regular supervisor or manager.

b. Managerial positions. Those in which the incumbents (1) direct the work of an organization; (2) are held accountable for the success of a specific line or staff program; (3) monitor the progress of the organization toward goals and periodically evaluate and make appropriate adjustments; and (4) typically perform the full range of managerial duties such as determining program goals and developing plans; determining resources for the organization; determining need for organizational changes; coordinating program efforts with other internal activities and dealing with general and other management policy matters. Deputy positions are included in this definition when the responsibility is divided between the manager and the deputy, or when the deputy serves as the alter ego and assists the manager in all phases of the work within the organization.

c. Supervisory positions (General Schedule). Those in which the incumbents are responsible for accomplishing work through the direction of other people, exclusive of support employees, to the extent that the positions are titled "supervisory" for classification purposes.

d. Supervisory positions (Federal Wage System). Those which are properly classified as a Supervisor by application of the Job Grading Standard for Supervisors.

5. Purpose of the probationary period. The success of an activity's program is dependent to a large extent on the caliber of its supervisors and managers. They require unique skills and abilities which cannot readily be taught or developed in other kinds of positions. The probationary period is intended to

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bridge the gap between perceived potential and actual performance. It provides the activity with an opportunity to assess the new appointee's development on the job and to return an employee to a nonsupervisory or nonmanagerial position without undue formality should circumstances warrant.

6. Coverage. The probationary period requirement became effective 11 August 1979 and applies to all newly appointed supervisors and managers in the competitive service.

7. Basic requirements

a. An employee initially assigned to a supervisory position is required to serve a 12-month probationary period. However, an employee who, prior to 11 August 1979, officially held either a supervisory or managerial position in the Federal service is exempt from this requirement.

b. An employee initially assigned to a managerial position is required to serve a 12-month probationary period unless exempted by one of the following conditions:

(1) An employee who, prior to 11 August 1979, officially held a managerial position in the Federal service.

(2) An employee who at any time served satisfactorily in a supervisory position. The decision to exempt such an employee rests with the immediate or higher level supervisor of the managerial position. An exemption must be justified on the basis of performance and experience in the previous supervisory position and must be reviewed by a level of authority above the initiating supervisor. This decision will be coordinated with the Civilian Personnel Division and justification for the exemption documented in writing and made a matter of record in the employee's Official Personnel Folder (OPF).

c. An employee whose initial appointment is to a position which is both supervisory and managerial will be required to complete only a managerial probationary period.

d. An employee who is assigned to either a supervisory or managerial position by temporary appointment, promotion, or reassignment which is scheduled to exceed six months will be required to serve a probationary period if otherwise subject to that requirement. Service under a temporary appointment, promotion, or reassignment counts toward completion of the required supervisory or managerial probationary period if the temporary appointment, promotion, or reassignment involved serving a supervisory period applicable to the new position. Prior service under a detail to a supervisory or managerial position may be credited only if made permanent without a break.

e. The satisfactory completion of a probationary period for either supervisory or managerial positions fulfills the basic requirement for all other subsequent assignments to a comparable position. The employee may not be required to serve another probationary period regardless of the number of agencies, occupations, or positions in which the employee serves. Completion of the probationary period is documented in the employee's OPF.

f. For purposes of determining applicability of the mandatory exemptions cited in 7a and 7b(1) of this Order, temporary service (e.g. temporary appointment, promotion, or reassignment) as a supervisor or manager counts in the same way as service under a permanent assignment provided the individual was officially assigned to the position for a period in excess of 120 days.

g. Except as provided in 7f above, the amount of time an employee may have served in a supervisory or managerial position prior to 11 August 1979 is not a factor in determining whether or not the employee is subject to the probationary period requirement.

h. When a previous probationary period has been terminated without completion, other than for unacceptable supervisory or managerial performance,

the employing supervisor, in consultation with the Civilian Personnel Division, will determine the extent to which prior service is creditable toward completion of the probationary period required under subsequent appointment. Such determination will be based on the grade and title of the previous job as it compares to the job to which the employee is being assigned. Justification for the determination will be documented in writing and made a matter of record in the employee's OPF.

8. Failure to satisfactorily complete a probationary period.

a. Unsatisfactory performance.

(1) Satisfactory completion of the probationary period is a prerequisite to continuation in the position. If, after a reasonable trial, an evaluation of the employee's performance reveals supervisory/managerial deficiencies which make him/her unsuited for continued employment in the position, the employee is to be returned or reassigned to a nonsupervisory or nonmanagerial position. All required steps connected with a return action (i.e. completion of a supervisory certification, notification to the employee in writing, and the assignment to a nonsupervisory or nonmanagerial position must be accomplished prior to completion of the probationary period).

b. Who makes the decision.

(1) The decision to return the employee to a nonsupervisory or nonmanagerial position will be initiated by the employee's immediate or higher-level supervisor and reviewed by a level of authority above that of the initiating supervisor.

c. Position to which returned.

(1) An employee who is removed from a supervisory/managerial position is entitled to be assigned to a position in the department of no lower grade and pay than the one the employee left to accept the supervisory/managerial position. With respect to specific situations, this means that:

(a) A transferee has a right to a position in the employing activity--not back to the agency or activity from which transferred. However, the employee will be returned to the grade held prior to transfer.

(b) An employee who is appointed to a supervisory or managerial position after a noncompetitive selection from an OPM register or based on reinstatement eligibility and who is not serving a probationary period as a consequence of the appointment action is entitled to be placed in a vacant position equal in grade to that currently held. There is no authority under this Base Order for demoting such an employee.

(c) Reduction-in-Force procedures in which the employee competes with others to determine the position to which assigned may not be used.

(d) If the former position (the one the employee left to accept the supervisory or managerial position) is at a higher grade than the supervisory or managerial position, the employee is entitled to be placed in a position at the same grade as the position in which the employee was serving probation.

(2) The placement of an employee removed from a supervisory or managerial position must be made within the period of probation. The following steps/options are available to departments to provide such placement:

(a) Leave the previously occupied position vacant or filled on a temporary promotion basis until probation in the supervisory or managerial position is completed. This allows return of the probationer to the position previously occupied.

(b) If a vacancy exists in the department for which the employee is qualified at the grade level held prior to the assignment to a supervisory or managerial position, the employee may be assigned to such position. The employee may be assigned or changed to lower grade to any vacancy no lower than that left to accept the supervisory or managerial position.

(c) Establish a new position when warranted. A temporary position may be established for the purpose of placing the employee until an appropriate continuing position is available.

d. Pay and effect of return on within-grade increases.

(1) An employee who is promoted to a supervisory or managerial position and is subsequently returned to the former grade level, is entitled to credit toward a within-grade increase at the lower grade for the time spent at the higher grade.

(2) An employee who is returned to a nonsupervisory or nonmanagerial position under this Base Order is not entitled to either grade or pay retention.

9. Action

a. Civilian Personnel Director

(1) Identify managerial and supervisory positions through the position classification process.

(2) Review personnel selections to determine those requiring a probationary period. Document results of the review.

(3) Counsel each employee required to serve a probationary period and initiate required training. Advise each employee that they will be returned to a position no lower in grade than that prior to selection for the managerial or supervisory position in the event that the probationary period is not satisfactorily completed.

(4) Issue Form MCBCL 12430, "Quarterly Evaluation of Probationary Supervisors/Managers" to the supervisor of each employee serving a probationary period.

(5) Maintain records and prepare reports required by the reference.

b. Organizational commanders, heads of staff sections, and department heads

(1) Establish and document performance standards for each managerial and supervisory position. Advise newly assigned managers and supervisors of the specific performance standards which must be met during the probationary period.

(2) Ensure the delivery of required on-the-job training.

(3) Evaluate the performance of probationary managers and supervisors using Form 12430, "Quarterly Evaluation of Probationary Supervisors/Managers".

10. Grievance Procedure. The assignment of an employee to a nonsupervisory or nonmanagerial position for reasons directly related to supervisory or managerial performance is not covered under the Navy administrative grievance procedure.

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11. Concurrence. This Order has been coordinated with and concurred in by the Commanding Officer, Marine Corps Air Station, New River.


J. T. MURRAY
Chief of Staff

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